

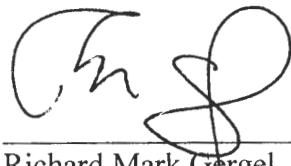
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

| | | |
|------------------------------|---|--------------------------------|
| Sonjie Davis, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 0:18-3022-RMG |
| |) | |
| vs. |) | |
| |) | |
| Andrew M. Saul, Commissioner |) | |
| of Social Security, |) | |
| |) | ORDER |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DBI") and Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on October 21, 2019, recommending that the decision of the Commissioner be reversed and remanded to the agency because the Administrative Law Judge failed to set forth basis of the finding that the record did not support the treating physician's opinion that the Plaintiff was limited to sedentary work. As the Magistrate Judge observed, with the provision of only a conclusory statement by the Administrative Law Judge, the reviewing court cannot determine whether there is substantial evidence to support the finding of the agency. (Dkt. No. 14 at 7-9). The Commissioner has advised the Court that he does not intend to file objections to the R & R. (Dkt. No. 16).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to be 'RM Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
November 6, 2019